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INFO ALL NATO CAPITALS

AMEMBASSY MOSCOW

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DISTO

SUBJ: NPT RATIFICATION

DELIVER CLEVELAND BY 9 AM.

1. IN ACCORDANCE SUGGESTION MADE BY SENATE FOREIGN RELATIONS COMMITTEE AND SOME OF OUR ALLIES INDEPENDENTLY, SECRETARY INDICATED TO KUZNETSOV ON TUESDAY THAT NOW THAT US SENATE HAD APPROVED NPT IT MIGHT BE HELPFUL IF THE FINAL ACT OF PUTTING IT INTO FORCE WERE PERFORMED SIMULTANEOUSLY IN WASHINGTON AND IN MOSCOW. FINAL ACT HERE INCLUDED SIGNING OF TREATY BY PRESIDENT AND DEPOSITING IT IN ARCHIVES OF UNITED STATES AS ONE OF DEPOSITORY GOVERNMENTS.

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2. KUZNETSOV SAID HE WOULD REPORT SECRETARY'S PROPOSAL TO HIS GOVERNMENT. MEANWHILE, HE WOULD NOTE THAT SOVIET UNION WAS ANXIOUS TO HAVE TREATY ENTER INTO FORCE AS SOON AS POSSIBLE. THERE WERE CERTAIN UNNAMED COUNTRIES IN WESTERN EUROPE WHICH HAVE TAKEN A VERY RELUCTANT POSITION WITH RESPECT TO TREATY. RATIFICATION PROCESS IN SOVIET UNION HAS NOT YET STARTED AND KUZNETSOV FELT THE PROCESS WOULD BE EASED IF OTHER COUNTRIES FIRST SHOWED THEIR WILLINGNESS TO PARTICIPATE IN NPT.

3. YOU MAY INFORM NAC OF FOREGOING, INDICATING THAT WHILE SOVIET POSITION AS REFLECTED BY KUZNETSOV'S REMARKS ESSENTIALLY NEGATIVE, THIS NOT FINAL REPLY SINCE HE UNDERTOOK REPORT PROPOSAL TO HIS GOVERNMENT.  
GP-3 ROGERS

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ORIGIN ACDA 16

INFO EA 10, IO 13, AEC 11, AF 12, ARA 08, CIAE 00, DODE 00, EUR 15, JPM 04,

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SUBJECT: NPT

REF: TOKYO 1788

1. NPT NOW SIGNED BY 87 COUNTRIES. TEN HAVE DEPOSITED INSTRUMENTS OF RATIFICATION. (CAMEROON, CANADA, DENMARK, ECUADOR, FINLAND, IRELAND, MEXICO, NIGERIA, NORWAY, UK) FYI. ECUADOR'S DEPOSIT IS ONLY ADDITION SINCE CA-776 OF FEB. 5. END FYI.

2. RE USG ACCEPTANCE OF IAEA SAFEGUARDS, PRES. NIXON'S LETTER OF FEBRUARY 5 REQUESTING SENATE APPROVAL NPT STATED IN PART QUOTE...I WISH TO ENDORSE THE COMMITMENT MADE BY THE PREVIOUS ADMINISTRATION THAT THE UNITED STATES WILL, WHEN SAFEGUARDS ARE APPLIED UNDER THE TREATY, PERMIT THE INTERNATIONAL ATOMIC ENERGY AGENCY TO APPLY ITS SAFEGUARDS TO ALL NUCLEAR ACTIVITIES IN THE UNITED STATES, EXCLUSIVE OF THOSE ACTIVITIES

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WITH DIRECT NATIONAL SECURITY SIGNIFICANCE. END QUOTE. REGARDING THIS COMMITMENT, SEC. ROGERS SAID DURING NPT HEARINGS FEBRUARY 18 THAT QUOTE IT IS NOT PART OF THE TREATY, BUT WE SHOULD CONSIDER IT IS BIDDING ON THIS ADMINISTRATION AND PROBABLY ON SUBSEQUENT ADMINISTRATIONS. END QUOTE SEE ALSO P. 129 OF FEB ARMED SERVICES COMMITTEE NPT HEARINGS.

3. RE ART VI, THE US SENATE HAS NOT MADE AN "INTERPRETATION". HOWEVER, THE SENATE FOREIGN RELATIONS COMMITTEE REPORT ON NPT OF MARCH 4 STATED QUOTE THE COMMITTEE IS FULLY AWARE OF THE MUTUAL RESPONSIBILITIES THE NUCLEAR WEAPON STATES PARTY TO THE TREATY HAVE ASSUMED TO MOVE TO NEGOTIATE THE MEANS OF LIMITING, IF NOT ENDING, THE NUCLEAR ARMS RACE. THE COMMITTEE IS EQUALLY AWARE THAT THE UNITED STATES HAS ASSUMED THIS RESPONSIBILITY BY ASKING OTHER NATIONS NOT TO FOLLOW OUR EXAMPLE. IT IS IN THIS SENSE, AND IN THIS SENSE ALONE, THAT THE COMMITTEE BELIEVES THAT THE WORD INNER QUOTE COMMITMENT END INNER QUOTE IS APPROPRIATE TO THIS TREATY - A COMMITMENT TO PURSUE WITH GOOD FAITH AND URGENCY NEW ARMS LIMITATION AGREEMENTS. END QUOTE SEE ALSO SEC. ROGERS TESTIMONY P. 349 OF FEB FRC HEARINGS.

4. ASSUME IN ASKING FOR INTERPRETATION RE ART IV, SENGOKU INTERESTED IN RECEIVING VIEWS ON BENEFITS OF PEACEFUL USES GENERALLY, AS WELL AS SPECIFIC QUESTION OF PNES, WHICH PROVIDED FOR IN ART V. FOR STATEMENT OF CHAIRMAN SEABORG ON PEACEFUL USES GENERALLY, SEE PP. 102-3 JULY FRC HEARINGS.

FOLLOWING IS FROM SFRC REPORT TO SENATE OF MARCH 4: QUOTE IT IS THE VIEW OF THE COMMITTEE THAT THE TREATY DOES NOT OBLIGATE NUCLEARWEAPON STATES TO TREAT NON-NUCLEAR SIGNATORY AND NON-SIGNATORY STATES ON THE SAME BASIS. NEITHER DOES THE TREATY REQUIRE THAT PREFERENCES BE GIVEN TO SIGNATORY NON-NUCLEAR STATES. AS A PRACTICAL MATTER, HOWEVER, IT IS THE VIEW OF THE COMMITTEE THAT THE NUCLEAR POWERS SHOULD BE MOST RELUCTANT TO TREAT NON-SIGNATORY STATES ON THE SAME BASIS AS SIGNATORY STATES, DESPITE THE FACT THAT THE TREATY DOES NOT PROHIBIT SUCH ACTION. THE BENEFITS AND SERVICES TO NON-SIGNATORIES SHOULD SURELY BE FAR LESS THAN THOSE ACCRUING TO THOSE COUNTRIES WHO DECIDE TO SIGN THE TREATY. BY ANY STANDARD IT WOULD BE CONSISTENT WITH THE INTENT OF THE TREATY TO BE MORE WILLING TO PROVIDE, FOR EXAMPLE, ASSISTANCE IN THE NUCLEAR EXCAVATION FIELD TO A SIGNATORY COUNTRY AS IT BECOMES AVAILABLE RATHER THAN TO A NON-SIGNATORY.

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END QUOTE RE ART. V, IN RESPONSE TO MORE RECENT SENATORIAL  
INQUIRY, AEC REPLIED IN PART QUOTE THE EXPLICIT ASSURANCE  
OF AVAILABILITY OF THE SERVICES RUNS ONLY TO NON-NUCLEAR-  
WEAPON PARTIES TO THE NPT, WHEREAS WE WOULD HANDLE REQUESTS  
FROM NON-PARTIES ON A CASE-BY-CASE BASIS. END QUOTE

5. RECORDS OF RECENT HEARINGS ON NPT, AND REPORT OF COMMITTEE  
ON FOREIGN RELATIONS, BEING POUCHED.

DECONTROLLED FOLLOWING 3/15/70

ROGERS

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